

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST FOR FILING APPLICATION UNDER RULE 1.53(b)**

Pursuant to 37 CFR 1.53(b), please file a continuation/ divisional of the pending prior PATENT APPLICATION of:

Inventor: CLOUGH et al

Serial No. 09/140,466

Filed: August 26, 1998

For: **AN EF-TU PROTEIN ENCODED ON THE PLASTID DNA OF THE MALARIA PARASITE
AND PROTEIN SYNTHESIS INHIBITORS EFFECTIVE AS ANTI-MALARIAL COMPOUNDS**

Assistant Commissioner for Patents

Washington, DC 20231

Sir:

This request for filing under Rule 53(b) is made by the following named inventor(s) (using the above-identified title):
Inventor(s): CLOUGH et al

Attached is a true copy of the prior application as originally filed including the specification, claims, Oath/Declaration and drawings (if any) and abstract (if any). No amendments (if any) referenced in the Oath or Declaration filed to complete the prior application introduced new matter.

Priority is hereby claimed under 35 USC 119 based on the following foreign applications, the entire content of which is hereby incorporated by reference in this application:

<u>Application Number</u>	<u>Country</u>	<u>Day/Month/Year/Filed</u>
<input type="checkbox"/> certified copy(ies) of foreign application(s) attached or <input type="checkbox"/> already filed on _____ in prior appln. no. _____ filed _____ <input type="checkbox"/> already filed in _____ filed _____		
<input checked="" type="checkbox"/> Please amend the specification by inserting before the first line: -- This application claims the benefit of U.S. Provisional Application No. 60/056,246, filed 28 August 1997, the entire content of which is hereby incorporated by reference in this application.--		
<input checked="" type="checkbox"/> The prior application is assigned to MEDICAL RESEARCH COUNCIL.		
<input checked="" type="checkbox"/> Power of Attorney has been granted to Mary J. Wilson et al, Reg. No. 32,955 of Nixon & Vanderhye P.C., 1100 N. Glebe Rd., 8 th Floor, Arlington, VA 22201.		
<input checked="" type="checkbox"/> Address all future communications to: Nixon & Vanderhye P.C., 1100 N. Glebe Rd., 8 th Floor, Arlington, VA 22201.		
<input checked="" type="checkbox"/> Please amend the specification by inserting before the first line --This is a divisional of application Serial No. 09/140,466, filed August 26, 1998, now pending, the entire content of which is hereby incorporated by reference in this application.--		
<input type="checkbox"/> This application is entitled to "Small entity" status. <input type="checkbox"/> "Small entity" statement attached.		
<input checked="" type="checkbox"/> The Examiner's attention is directed to the prior art cited in the parent application by applicant and/or Examiner for the reasons stated therein. The Examiner is requested to initial and return the attached PTO-1449 Forms listing that art.		
<input checked="" type="checkbox"/> Please enter the attached and/or below preliminary amendment <u>prior</u> to calculation of filing fee:		
Cancel claims 1-16 and 22 without prejudice		
<input checked="" type="checkbox"/> The entire disclosure of the prior application above-referenced is considered as being part of the disclosure of this new application and is hereby incorporated by reference therein.		
<input checked="" type="checkbox"/> Also attached: <input checked="" type="checkbox"/> PTO-1449 Forms; <input type="checkbox"/> Non-Publication Request; <input type="checkbox"/> Other:		

FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY HEREWITH CANCELED

Basic Filing Fee				
Total effective claims 5 - 20 (at least 20) = 0	x \$ 18.00		\$ 710.00	
Independent claims 1 - 3 (at least 3) = 0	x \$ 80.00		\$ 0.00	
If any proper multiple dependent claims now added for first time, add \$270.00 (ignore improper)			\$ 0.00	
		SUBTOTAL	\$ 710.00	
If "small entity," then enter half (1/2) of subtotal and subtract			-\$(0.00)	
Assignment Recording Fee (\$40.00)		SECOND SUBTOTAL	\$ 710.00	
			\$ 0.00	
		TOTAL FEE ENCLOSED	\$ 710.00	

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8th Floor
Arlington, Virginia 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
MJW:tat

NIXON & VANDERHYE P.C.

By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: Mary J. Wilson

JC971 U.S. PTO
09/84535
05/01/01